

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CLISANTOS ORTEGA-ESPINOZA,)	
)	
Petitioner,)	Case No. 04-526-JE
)	
vs.)	ORDER
)	
SHARON BLACKETTER,)	
)	
Respondent.)	

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KING, Judge:

The Honorable John Jelderks, United States Magistrate Judge, filed Findings and Recommendation on March 2, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). Petitioner has filed objections to the Findings and Recommendation. Respondent has not filed a response.

When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Having given a *de novo* review of the issues raised in petitioner's objections to the Findings and Recommendation, I find no error.

Accordingly, I ADOPT Magistrate Judge Jelderks' Findings and Recommendation (#42) and DENY the Petition for Writ of Habeas Corpus (#2). Judgment will be entered dismissing this case with prejudice.

Dated this 4th day of May, 2006.

/s/ Garr M. King
Garr M. King
United States District Judge